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Editor ROBERT WILLIAMS *Barrister*

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Burial authority carrying out cemetery safety inspection — Memorials found to be unsafe laid flat — Owners not informed or given prior opportunity to effect repairs — Burial authority subsequently seeking confirmatory faculty and faculty for future inspections and works — Whether within faculty jurisdiction — Whether faculties to be granted — Local Authorities' Cemeteries Order 1977, art 16(1)(a) **In re Keynsham Cemetery,** Briden Ch **66**

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Mandate refugees
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"Particular social group"
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Bangladeshi national granted indefinite leave to remain in United Kingdom — Recommendation for deportation following criminal conviction — Recommendation quashed by Court of Appeal — Whether Secretary of State prevented from ordering deportation — Whether duty to take court's decision into account — Whether deportation order valid — Immigration Act 1971, s 3(5) (as amended by British Nationality Act 1981, Sch 4, para 2 and Immigration and Asylum Act 1999, Sch 14, para 44) **M v Secretary of State for the Home Department,** CA 1980

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Inquiry into company's dealings
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Corrigenda

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Page 422A, line 3: *for* "[2002] EWCA Crim 1768" *read* "[2002] EWCA Crim 1587"
Page 1284, line 2: *for* "*Davis*" *read* "*Davies*"
Page 1285, line 12: *for* "*Davis*" *read* "*Davies*"
Page 1431, line 2: *for* "*Jonathan Ferris*" *read* "*Leslie Blohm*".
Page 1940, para 8, line 6: *for* "On appeal to" *read* "In"
Page 2285E, lines 23 and 24 should read
Patrick Rolfe for the claimant.
Martin Dray for the defendants.
Page 2751A: *for* "[2003] EWHC 257 (Ch)" *read* "[2003] EWHC 1462 (Ch)"

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Provisional music and dancing licence granted in respect of part of premises — Provisional special hours certificate granted in respect of whole of premises — Whether provisional special hours certificate to be made final — Licensing Act 1964 (as amended by Deregulation (Special Hours Certificates) Order 1996, arts 3, 5 and Deregulation (Casinos) Order 1997, art 3), ss 77A(1)(3), 81(2) **Westminster City Council v O'Reilly,** Mackay J 1411

LIMITATION OF ACTION

Land, recovery of

Adverse possession by former owner

Council serving notice to treat pursuant to compulsory purchase order and entering on defendant's land — Defendant re-entering land and remaining in occupation for more than 12 years — Council transferring title to itself by deed poll — Whether defendant "person in whose favour the period of limitation can run" — Whether time running afresh from date of deed poll — Whether council's possession claim statute barred — Lands Clauses Consolidation Act 1845, ss 77, 123 (as amended by Administration of Justice Act 1965, s 17(1), Sch 1) — Limitation Act 1980, Sch 1, para 8(1) **Rhondda Cynon Taff County Borough v Watkins,** CA 1864

Period of limitation

Breach of statutory duty

Developer building dwelling containing defect rendering it unfit for habitation — Developer doing further work to remedy defect — Work not remedying defect — Claimants bringing action in relation to defect — Whether limitation period in respect of defect running from date of further work — Defective Premises Act 1972, s 1(5)

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Borrower defaulting on mortgage repayments — Sale of security by lender — Proceeds of sale insufficient to meet outstanding debt — Claim by lender to recover shortfall — Whether claim for simple contract debt or for money secured on mortgage — Whether subject to limitation period of 12 years — Land Registration Act 1925, ss 34(4), 35(1) — Limitation Act 1980, ss 5, 8, 20 **Bristol and West plc v Bartlett,** CA 284

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LOCAL GOVERNMENT

Election

Inspection of ballot papers

Postal ballot papers found uncounted after declaration of result — Claimant approving informal count in absence of candidates and their agents — Application to county court for inspection and recount of all votes — Second defendant as successful candidate's election agent objecting to application — Council subsequently discontinuing application — Press release issued by second defendant forming basis of newspaper article alleging incompetence by claimant — Claimant suing for libel — Whether comments justified — Whether rules allowing application for inspection of ballot papers prior to presentation of election petition — Local Elections (Principal Areas) Rules 1986, Sch 2, r 47(1)(b)

Gough v Local Sunday Newspapers (North) Ltd, CA 1836

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Homeless persons

Priority need

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Referral of application

Local housing authority reviewing decision to refer applicant to second local housing authority — Whether occupation of accommodation provided pursuant to compulsory dispersal by National Asylum Support Service constituting normal residence of choice and local connection — Housing Act 1996, s 199

Al-Ameri v Kensington and Chelsea Royal London Borough Council, CA 1289

LOCAL GOVERNMENT—*continued*
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MEDICAL PRACTITIONER
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Standard of professional performance
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Professional Conduct Committee
Conditional registration
Doctor found guilty of serious professional misconduct — Registration made subject to conditions for specified period — Conditions later varied and period extended — Doctor appealing to Privy Council but failing to prosecute appeal — Whether appeal to be dismissed for non-prosecution — Effect of delay on period of conditional registration — Medical Act 1983, s 36, Sch 4, paras 10, 11 (as amended by Medical (Professional Performance) Act 1995, s 4, Sch, paras 1, 25) — Judicial Committee (Medical Rules) Order 1980, Sch, r 10
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Page 422A, line 3: *for* "[2002] EWCA Crim 1768" *read* "[2002] EWCA Crim 1587"
Page 1284, line 2: *for* "*Davis*" *read* "*Davies*"
Page 1285, line 12: *for* "*Davis*" *read* "*Davies*"
Page 1431, line 2: *for* "*Jonathan Ferris*" *read* "*Leslie Blohm*".
Page 1940, para 8, line 6: *for* "On appeal to" *read* "In"
Page 2285E, lines 23 and 24 should read
Patrick Rolfe for the claimant.
Martin Dray for the defendants.
Page 2751A: *for* "[2003] EWHC 257 (Ch)" *read* "[2003] EWHC 1462 (Ch)"

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Page 1001, para 65, lines 1 and 2: *for* "*Norwich Union Life Insurance Society v Shopmoor Ltd* [1999] 1 WLR 531, 554F" *read* "*Footwear Corpn Ltd v Amplight Properties Ltd* [1999] 1 WLR 531, 554F"

Page 1137H: delete the Reporter's note

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Corrigenda

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Page 334, para 167, line 25: *for* "difficult" *read* "different"
Page 1141, para 13, line 4: *for* "against" *read* "in favour of"

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